

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

ORDER

Pursuant to the Report and Recommendation of the United States Magistrate Judge, to which there has been no timely objection, and after a de novo review of the record, the Court finds that defendant Tyrone L. Holman is incompetent to understand the nature and consequence of the proceedings against him and to properly assist in his defense.

Further, the Court ORDERS that defendant Holman is committed to the custody of the Attorney General for hospitalization and treatment in a suitable facility for a reasonable time to determine whether there is a substantial probability that in the foreseeable future, the defendant will attain the capacity to permit the trial to proceed.

IT IS SO ORDERED.

/s/ Howard F. Sachs
HOWARD F. SACHS
United States District Judge

Dated: October 8, 2009

Kansas City, MO